

April 13, 2023
(45) ARDR

WPA 1721 of 2023

Bharat Chandra Simai
Vs.
The State of West Bengal & Ors.

Adv. Bharat Chandra Simai,
Adv. Ashim Kumar Ganguly,
Adv. Tarak Karan,
...petitioner in person.
...for the State.

Affidavit of service filed by the petitioner is taken on record.

None appears for the private respondent.

The petitioner claims to be the recorded owner of the plot in question and complains that the private respondent has raised unauthorised construction by encroaching upon a portion of the PWD road adjoining his plot, thereby obstructing his egress and ingress. The petitioner submitted a representation before the concerned authority on 4th January, 2023 which is yet to be considered. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the 3rd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner dated 4th January, 2023 within three months from the date of

communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondent, in accordance with law.

With the above directions, WPA 1721 of 2023 is disposed of.

There shall however, be no order as to costs.

Since no affidavit in opposition is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties on usual undertakings.

(Suvra Ghosh, J.)